

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By **CHAIRMAN ROBERT C. CLARK**, on January 26, 1999
at 8:00 A.M., in Room 312 - 1 Capitol.

ROLL CALL

Members Present:

Rep. Robert C. Clark, Chairman (R)
Rep. Dan McGee, Vice Chairman (R)
Rep. Diana Wyatt, Vice Chairman (D)
Rep. Chris Ahner (R)
Rep. Paul Clark (D)
Rep. Aubyn A. Curtiss (R)
Rep. Bill Eggers (D)
Rep. Tom Facey (D)
Rep. Steven Gallus (D)
Rep. Gail Gutsche (D)
Rep. Joan Hurdle (D)
Rep. Rick Jore (R)
Rep. Sam Kitzenberg (R)
Rep. Brad Molnar (R)
Rep. Mark Noennig (R)
Rep. Jim Shockley (R)
Rep. Loren Soft (R)
Rep. Carol Williams (D)
Rep. Cindy Younkin (R)

Members Excused: Rep. Shiell Anderson (R)

Members Absent: None.

Staff Present: John MacMaster, Legislative Branch
Pam Schindler, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s): HB 243, HB 327, HB 54,
Date Posted: 1/22/1999
Executive Action: None Taken

HEARING ON HB 243

Sponsor:

Rep. Lawson presented HB 243.

{Tape : 1; Side : A; Approx. Time Counter : 0 - 116}

EXHIBIT (juh20a0

1)

Proponents:

Pete Carroll, self and an attorney in Kalispell

{Tape : 1; Side : A; Approx. Time Counter : 116 - 234}

Tony DuMay, self

{Tape : 1; Side : A; Approx. Time Counter : 234 - 362}

Teresa Scriber, self

{Tape : 1; Side : A; Approx. Time Counter : 362 - 443}

P. Leslie Walker, PH.D

{Tape : 1; Side : A; Approx. Time Counter : 443 - 550}

{Tape : 1; Side : B; Approx. Time Counter : 0 - 26}

EXHIBIT (juh20a0

2)

David Brentwood, self

{Tape : 1; Side : B; Approx. Time Counter : 26 - 83}

EXHIBIT (juh20a0

3)

Jerry O'Neil, self

{Tape : 1; Side : B; Approx. Time Counter : 83 - 101}

Kenneth Haugen, self

{Tape : 1; Side : B; Approx. Time Counter : 101 - 106}

Joan Austad, self

{Tape : 1; Side : B; Approx. Time Counter : 106 - 113}

Joe Bachurski, self

{Tape : 1; Side : B; Approx. Time Counter : 113 - 120}

EXHIBIT (juh20a0

4)

Opponents:

Chuck Hunter, Montana Dept. of Public Health and Human Services

{Tape : 1; Side : B; Approx. Time Counter : 120 - 190}

EXHIBIT (juh20a0

5)

John Lavin, Physician

{Tape : 1; Side : B; Approx. Time Counter : 190 - 221}

Brenda O'Donnell, foster parent

{Tape : 1; Side : B; Approx. Time Counter : 221 - 297}

Colleen Murphy, National Association of Social Workers

{Tape : 1; Side : B; Approx. Time Counter : 297 - 375}

Gary Toavs, pastor

{Tape : 1; Side : B; Approx. Time Counter : 375 - 550}

Keith Lara, Physician

{Tape : 2; Side : A; Approx. Time Counter : 0 - 53}

Twila Costigan, Intermountain Children's Home and MSFAPA

{Tape : 2; Side : A; Approx. Time Counter : 53 - 78}

Sandy Butler, Montana Nurses Association

{Tape : 2; Side : A; Approx. Time Counter : 78 - 86}

Sharon Hoff, Montana Catholic Conference

{Tape : 2; Side : A; Approx. Time Counter : 86 - 97}

Bob Anderson, Montana Association of Homes and Services for Children

{Tape : 2; Side : A; Approx. Time Counter : 97 - 101}

Carolyn Clemens, social worker

{Tape : 2; Side : A; Approx. Time Counter : 101 - 104}

Julie Turunen, social worker

{Tape : 2; Side : A; Approx. Time Counter : 104 - 107}

Dennis Paxinos, Deputy Co. Attorney

{Tape : 2; Side : A; Approx. Time Counter : 107 - 111}

Marty Lambert, Gallatin Co. Attorney

{Tape : 2; Side : A; Approx. Time Counter : 111 - 115}

Anne Gilke, Supreme Court/Board of Assessment Program

{Tape : 2; Side : A; Approx. Time Counter : 115 - 124}

Informational Testimony:

Sara Upscomb, Montana Council for Families

{Tape : 2; Side : A; Approx. Time Counter : 124 - 175}

Brad Molnar, House Dist. #24

{Tape : 2; Side : A; Approx. Time Counter : 175 - 192}

Questions from Committee Members and Responses:

{Tape : 2; Side : A; Approx. Time Counter : 192 - 550}

{Tape : 2; Side : B; Approx. Time Counter : 0 - 550}

{Tape : 3; Side : A; Approx. Time Counter : 0 - 316}

Closing by Sponsor:

Rep. Lawson made closing remarks.

{Tape : 3; Side : A; Approx. Time Counter : 316 - 378}

HEARING ON HB 327

Sponsor:

Rep. Brannard presented HB 327.

{Tape : 3; Side : A; Approx. Time Counter : 378 - 441}

Proponents:

Al Boehm, self, Forensic Scientist

{Tape : 3; Side : A; Approx. Time Counter : 441 - 550}

{Tape : 3; Side : B; Approx. Time Counter : 0 - 72}

Sandy Selvey, Public Defender, Yellowstone County

{Tape : 3; Side : B; Approx. Time Counter : 72 - 135}

Marty Lambert, Gallatin County Attorney

{Tape : 3; Side : B; Approx. Time Counter : 135 - 190}

Dennis Paxinos, Yellowstone Co. Attorney

{Tape : 3; Side : B; Approx. Time Counter : 190 - 237}

Opponents:

None

Informational Testimony:

Bill Unger, Forensic Scientist Division-Dept. of Justice

{Tape : 3; Side : B; Approx. Time Counter : 237 - 376}

Questions from Committee Members and Responses:

{Tape : 3; Side : B; Approx. Time Counter : 376 - 550}

{Tape : 4; Side : A; Approx. Time Counter : 0 - 85}

Closing by Sponsor:

Rep. Brannard made closing remarks.

{Tape : 4; Side : A; Approx. Time Counter : 85 - 124}

HEARING ON SB 54

Sponsor:

Rep. Halligan presented SB 54.

{Tape : 4; Side : A; Approx. Time Counter : 124 - 173}

Proponents:

Rick Day, Dept. of Corrections

{Tape : 4; Side : A; Approx. Time Counter : 241}

EXHIBIT(juh20a0

6)

Matt Roberts, Dept. of Corrections

{Tape : 4; Side : A; Approx. Time Counter : 241 - 353}

John Larson, District Judge-Missoula

{Tape : 4; Side : A; Approx. Time Counter : 353 - 550}

EXHIBIT(juh20a0

7)

Opponents:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

{Tape : 4; Side : B; Approx. Time Counter : 0 - 102}

Closing by Sponsor:

Rep. Halligan made closing remarks.

{Tape : 4; Side : B; Approx. Time Counter : 102 - 132}

Rep. McGee made a motion to adjourn, motion passed unanimously.

Received Exhibit 7 after meeting was called to adjournment.

EXHIBIT(juh20a0

8)

ADJOURNMENT

Adjournment: 12:30 P.M.

REP. ROBERT C. CLARK, Chairman

PAM SCHINDLER, Secretary

RC/PS

EXHIBIT (juh20aad)